IN RE: PETITION FOR ZONING VARIANCE * Liberty Road, 578' SE c/l of Brenbrook Road (87115 Liberty Rd) 2nd Election District 2nd Councilmanic District F & M Distributors Contract Purchaser

and is hereby DISMISSED without prejudice.

Liberty Plaza Assoc.

Legal Owner

Petitioner

ZONING COMMISSIONER OF BALTIMORE COUNTY CASE #89-338-A

* *****

ORDER OF DISMISSAL

The Contract Purchaser, F & M Distributors, requested, by formal letter to the Zoning Commissioner dated January 25, 1989, that the Petition for Zoning Variance in the above captioned matter be withdrawn. IT IS ORDERED by the Zoning Commissioner for Baltimore County, day of February 1989, that the Petition for Zoning Variance from Section 413.2.E to allow a shopping center identification sign with a total of 333.5 sq. ft. in lieu of the permitted 150 sq. ft., be

> ZONING COMMISSIONER OF BALTIMORE COUNTY

cc: Peoples Counsel cc: Nancy E. Paige, Attorney

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

Mr. Neil F. Murray Property Manager F & M Distributors 25800 Sherwood Warren, Michigan 48091

> RE: Petition for Zoning Variance F & M Store #60 Case #89-338A

Dear Mr. Murray:

Pursuant to your request dated January 25, 1989, attached hereto is Order of Dismissal regarding the above captioned matter.

> J. Robert Haines Zoning Commissioner

February 22, 1989

Dennis F. Rasmussen

Dennis F. Rasmussen

JPH:mmn CC: Peoples Counsel CC: Nancy E. Paige, Esquire

FEM DISTRIBUTORS

VIA EXPRESS MAIL

January 25, 1989

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, MD 21204

ATTN: G.G. Stephens

RE: F & M Store #60 Petition for Zoning Variance Case Number: 89-338-A NS Liberty Road, 578' SE c\1 Brenbrook Rd. 87115 Liberty Road 2nd Election District - 2nd Councilmanic Legal Owner: Liberty Plaza Associates Legal Owner: Biberry 1122 Absolutes Contract Purchaser: F & M Distributors, Inc. HEARING SCHEDULED: WEDNESDAY, FEBRUARY 22, 1989 at 2:00 P.M.

Dear Ms. Stephens:

We are in receipt of your letter dated January 20, 1989 in regard to the above captioned matter. Please be advised that this letter constitutes F & M Distributors' Please be advised that this letter constitutes r a m bistributors formal withdrawal of the above petition. This letter also follows up notification by telephone this morning.

Thank you for your cooperation.

Very truly yours,

Neil F. Murray Property Manager

NFM:jr

25800 SHERWOOD ● WARREN, MICHIGAN 48091 ● PHONE (313) 758-1400

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

Warren, Michigan 48091

F & M Distributors, Inc. 25800 Sherwood

ATTN: MICHAEL A. GENTRY. STORE PLANNING/CONSTRUCTION MGR.

Re: Petition for Zoning Variance CASE NUMBER: 89-338-A NS Liberty Road, 578' SE c/l Brenbrook Road

8715 Liberty Road 2nd Election District - 2nd Councilmanic Legal Owner(s): Liberty Flaza Associates Contract Purchaser(s): F&M Distributors, Inc. HEARING SCHEDULED: WEDNESDAY, FEBRUARY 22, 1989 at 2:00 p.m.

Please be advised that _____ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do <u>not</u> remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines U J. ROBERT HAINES Zoning Commissioner of Baltimore County

JRH:gs

PETITION FOR ZONING VALIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 723 2 E To allow a shopping center identification

-----sign with a total of 333.5 sq. ft. in lieu of the permitted 150 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) We feel that the space allocated on the existing freestanding display for tenants is disproportionate to the amount of the G.L.A. (General Leasing Area) that F&M will occupy. By going to a single line layout between the existing structure (as we propose), we will not impede on other future tenants. This may help the management lease out portions of the Shopping Center by accomodating tenants on existing tenant panels, thus increasing local sales taxes attributed to this center.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): LIBERTY PLAZA ASSOCIATES, a Pennsylvania Joint Venture - 244 E. Carmel Drive F & M Distributors Carmel, IN 46032 (Type or Print Name) (Type or Print Name) · DANIEL W PARIS, MANAGING VENTURE 25800 Sherwood (Type or Print Name)

I/We do solemnly declare and affirm,

under the penalties of perjury, that I we

Warren, Michigan 48091 Attorney for Petitioner: Phone No. (Type or Print Name) Name, address and phone number of legal owner, contract purchaser or representative to be contacted PRIOR Michael A. Gentry, Store Planning/Constr. Mgr.

OBDERED By The Zoning Commissioner of Baltimore County, this ______ day

Zoning Commissioner of Baltimore County.

F & M Distributors, 25800 Sherwood, Warren, Mi

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

Attorney's Telephone No.: _____

January 20, 1989

Nancy E. Paige, Esq. 233 E. Redwood Street Baltimore, Maryland 21202

Petition for Zoning Variance CASE NUMBER: 89-338-A NS Liberty Road, 578' SE c/l Brenbrook Road 8715 Liberty Road 2nd Election District - 2nd Councilmanic Legal Owner(s): Liberty Plaza Associates Contract Purchaser(s): F&M Distributors, Inc.

HEARING SCHEDULED: WEDNESDAY, FEBRUARY 22, 1989 at 2:00 p.m.

Enclosed please find a copy of the Notice of Hearing relative to the above captioned matter. As we discussed, please advise as soon as is possible whether or not you will be entering your appearance in this case and/or whether or not F&M will withdraw the

I would appreicate a telephone call, followed by written confirmation. Please advise F & M that it will be impossible to pull the newspaper advertising after January 26, 1989. It would therefore be in their interest to act quickly in this matter in order to save the advertising costs.

Thank you for your cooperation and prompt attention.

Very truly yours,

Exhibit A Legal percription of Shonging Center DESCRIPTION OF LISTRATE PLAZA SHOPPING CENTER. LOCATED ALONG THE MORTHEASTERLY SIDE OF LIBERTY BOAD. THE EASTERLY SIDE OF BREMERCOK BOAD AND THE SOUTHERLY SIDE OF CHURCH LAME, FLECTION DISTRICT NO. 2 C-2, RANDALLSTOWN, BALTIMORE COUNTY, MARYLAND.

BEGINNING FOR THE SAME at a 3/4" diameter pipe heretofore set along the easterly right-of-way line of Brenbrook Road, formerly Hendon Road (70 feet wide) as shown on Baltimore County Department of Public Works, Stream of Land Acquisition Flats MAW 59-106-2 2014 59-106-2, as referred to in a con-Land Acquisition Flats HRW 59-106-2 and 59-106-3, as referred to in a conveyance from Lee M. Cohen, and wife, et al, unto Baltimore County, Maryneyance from Lee M. Cohen, and wife, et al, unto Baltimore County, Maryneyand in Liber W.J.R. No. 3564, folio 277 etc., said Baltimore County, Maryland in Liber W.J.R. No. 3564, folio 277 etc., said point of beginning being located along the first line of that 29.5375 acres parcel of land as described in a conveyance from Service Title Corporation unto Lee M. Cohen, et al, */s Court Plaza Realty Company, by a deed dated unto Lee M. Cohen, et al, */s Court Plaza Realty Company, by a deed dated March 6, 1959 ad recorded among said Land Records in Liber W.J.R. No. 2456, folio 456 etc., of which the hereindescribed is a part, distant, as now surveyed, South 21°53'44° East 379.20 feet from a stone heretofore set for the heringing of thereof, theory leaving said first line and running with and. veyed, South as 33 and east 379. Au reet from a stone heretofore set for the beginning thereof, thence leaving said first line and running with and, binding on said easterly right-of-way line of Brenbrook Road, as now surveyed by STY/LYON ASSOCIATES, the two following courses and distances, with all bearings referred to the Baltimore County Metropolitan District Grid

North 22*31*03" East 64.52 feet to a point of curvature, thence by a curve to the left having,

A radius of 1,110.00 feet, an arc length of 777.42 feet, said curve being subtended by a chord bearing North 05°32'27" East 761.63 feet to the beginning of a site flare as shown on Baltimore County D.P.W. Plat No. RW 77-019-8A, as described in an inquisition recorded among said Land Records in Liber E.R.K., Jr. No. 6376, folio 673 etc., thence leaving Brenbrook Road and running with and binding on said

-Horth 17-47-32" East 15.44 feet to a point along the southerly right-Horth 1/4/32 tast 13.44 teet to a point along the southerly right of way line of Church Lane, as widened and shown on said Plat No. RW 77-019-BA, thence running with and binding on said southerly right-of way line of Church Lane, the two following courses and distances; by a curve to the left having,

A radius of 666.62 feet, an arc length of 89.64 feet, said curve being subtended by a chord bearing North 74°37'25" East 89.57 feet to a point of tangency thence,

North 70°46'18" East 96.28 feet to a point to intersect the fourth line of the secondly described parcel of land in a conveyance from Ida Cohen et al, unto Liberty Plaza Enterprises, Inc., by a deed dated June 20, 1972 and recorded among said Land Records in Liber E.H.K., Jr. No. 5287, folio 258 etc., being distant 22.15 feet from the beginning thereof, thence running reversely with a portion of said fourth line, and continuing into the bed of said Church Lane,

North 14°22'43" West 28.79 feet to a 'P.K.' Hail set in the centerline of the existing pavement of said Church Lane, to intersect the twelfth or South 76°12'05" West 691.80 feet line of the aforementwellin or south to 12 up. Mcst. out.ou rest line of the aforementioned 29.5375 acres parcel, thence running with and binding on a portion of said twelfth line, and continuing along the eleventh, tenth, ninth, eighth, seventh, sixth, and a portion of the fifth lines of said parcel, reversely, the eight following courses and distances,

North 76°17'26" East 363.68 feet to a ip.k. Hail set in the bed of said Church Lane thence,

9 South 84°18'14" East 660,00 feet to a point in said Church Lane

RAY 23 '88 11:02 FPON F AND N DISTRIBUTORS

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

200.30A9

January 20, 1989

NOTICE OF HEARING



Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-338-A NS Liberty Road, 578' SE c/l Brenbrook Road 8715 Liberty Road 2nd Election District - 2nd Councilmanic Legal Owner(s): Liberty Plaza Associates Contract Purchaser(s): FAM Distributors, Inc. HEARING SCHEDULED: WEDNESDAY, FEBRUARY 22, 1989 at 2:00 p.m.

Variance to allow a shopping center identification sign with a total of 333.5 sq. ft. in lieu of the permitted 150 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Plat Maire

J. ROBERT HAINES Zoning Commissioner of Baltimore County

F & M Distributors, Inc.

89-338-A BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this <u>lêth</u> day of <u>Transper</u>, 1988.

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 7, 1989

MEMBERS

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial

Zoning Administration

Burcay of

Mr. Frank Newman 25800 Sherwood Warren, Michigan 48091

RE: Item No. 249, Case No. 89-338-A Petitioner: Daniel W. Paris Petition for Zoning Variance Department of Traffic Engineering Dear Mr. Newman:

State Roads Commission

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Zoning Plans Advisory Committee

Enclosure

cc: Mr. Michael A. Gentry F & M Distributors 25800 Sherwood Warren, MI 48091

Mr. J. Robert Haines

County Office Building

Towson, Maryland 21204

Zoning Commissioner

After reviewing the submittal for a variance to allow a shopping center identification sign with a total of 333.5 square feet in lieu of the permitted 150 square feet, we have the following comment.

We have forwarded this plan to our Highway Beautification Section, c/o Morris Stein (333-1642), for all comments relative to zoning.

Very truly yours,

LB/es

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County Fire Department Rich: "d H. Trainc Towson, Maryland 21204-2586 Secretary Maryland Department of Transportation 494-4500 Hal Kassoff State Highway Administration Administrator Paul H. Reincke

January 11, 1989

Re: Baltimore County Liberty Plaza Associates Zoning meeting 12/27/88 MD 26

N/S Liberty Road 578' east of the centerline of Brenbrook Item #249

Dear Mr. Haines:

Att: James Dyer

Chief Bureau of Engineering Access Permits

cc: STV/Lyon Associates Mr. J. Ogle Mr. Morris Stein w/att.

JAN 13 1989

Special Inspection Division

J. Robert Haines, Zoning Commissioner

Location: 8715 Liberty Road

ment of Public Works.

prior to occupancy.

() 6. Site plans are approved, as drawn.

Re: Property Owner: Legal Owner: Liberty Plaza Assoc. Contract Purchaser: F & M Distributors

Baltimore County Office Building

Office of Planning & Zoning

Towson, Maryland 21204

Item No.: 249

Fire Provention Bureau

January 12, 1989

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required

() 1. Fire hydrants for the referenced property are required and shall be

located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Depart-

to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

(x) 7. The Fire Prevention Bureau has no comments at this time.

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the

() 5. The buildings and structures existing or proposed on the site shall

Fire Prevention Code prior to occupancy or beginning of operation.

comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition

() 3. The vehicle dead end condition shown at _____

Zoning Agenda: Meeting of 12/27/88

Dennis F. Rasmussen

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

Petitioner

Attorney

Petitioner's

January 17, 1989

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 137, 236, 248, 249) 250, 251, 254, 256, 257, and 258.

Traffic Engineer Associate II

Dennis F. Rasmussen

INTER-OFFICE CORRESPONDENCE

J. Robert Haines TO.__Zoning Commissioner Date February 10, 1989 Pat Keller, Deputy Director

FROM Office of Planning and Zoning Liberty Road Plaza Assoc. SUBJECT Zoning Petition No. 89-338-A

The petitioner is requesting a variance to allow a free-stand g shopping center identification sign of 333.5 square feet in lieu of the 150 square feet permitted. In reference to this request, staff provides the following information:

The petitioner's development is located at the intersection of Brenbrook and Liberty Roads. This area falls within the Liberty Road Action Plan that was adopted by County Council on 1/5/81 as part of the Master Plan. The signage requirements are outlined on page 22 of the study (see attachments). The petitioner should comply with the requirements as provided in the study. Staff is willing to work with the developer in undertaking a comprehensive sign program for the development.

Based upon the recommendations provided in the Liberty Road Action Plan, staff recommends that the petitioner comply with the guidelines provided.

PK/sf

Attachments

accompanying drawings, exclusive of the median. The idea is to begin the visual transformation at the most intensively used locations, and where community image is most visible. Baltimore County should work with the community and develop detailed designs for the streetscape system, with the five major focal intersections receiving initial emphasis. The program should include matching private sector reinvestment and removal of overhead utilities. Potential use of Federal grants and subsidies should be examined as a part of a comprehensive strategy involving public and private participation.

Commercial signage: After a thorough examination of Liberty Road, it is obvious that the commercial signage problem continues to be a serious intrusion into the built environment. Whether this condition can be changed appears to be a political issue rather than one of pure design. However, the proposal for sweeping changes is as important an issue today and for the coming 20 years into the 21st Century as it was 20 years ago.

Ground Signs in general are grossly oversized on Liberty Road and out of presention. To correct this problem it is recommended that there be a requirement for a minimum of 15 feet of planted setback including large-growing trees along all street frontages. This landscaped setback is intended to create a visually attractive edge to the boulevard that is free of clutter, parked cars and asphalt. It needs big trees and screening of parking lots. Any ground signs within this 15-foot setback area should be restricted to a maximum of 6 feet in height and 60 square feet of sign area. If ground signs are located between 15 and 20 feet from the property line, they may increase to a maximum height of 15 feet but no more than 40 square feet of sign area. If located 20 feet or more from the property line, the height cannot exceed 15 feet, but the sign area can reach a maximum of 60 square feet. No more than three ground signs should be allowed for each commercial complex, with no two signs closer together than 200 feet. Ground signs on Liberty Road need more creative daign solutions and should be reviewed by a graphic design consultant to Baltimore County.

Wall Signs need tighter space and location controls. Otherwise, commercial wall signs are in need of more creative design beyond the typical sign company look. It is recommended that all store units in a single building or in a shopping complex have uniform design and placement of signs according to plans reviewed and approved by a graphic design consultant to Baltimore County. Signs and cut-out letters should not project above roof or canopy lines. Up to 3 square feet of sign area should be allowed for every foot of wall length. Letters should not exceed 18 inches in height. Wall murals should be allowed in unlimited size (within the wall areas) but prohibited from containing words, letters or logos.

Public Directional Signs help to: (1) create neighborhood image and identity, (2) announce entrance points to significant places, (3) serve as landmarks/reference points for travelers, (4) provide essential directions; and (5) reduce signage clutter. As part of this study, examples were provided for a coordinated system for all directional signs, and the location of specially designed logos and signs at the entrance points to each commercial node.

22



